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Promotion and protection of the rights of children

Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Senegal, Spain, Sweden, Trinidad and Tobago* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Rights of the Child

The General Assembly,

Reaffirming all of its resolutions on the rights of the child, in particular resolutions 55/78 and 55/79 of 4 December 2000, recalling resolution 56/138 of 19 December 2001, and taking note with appreciation of Commission on Human Rights resolution 2002/92 of 26 April 2002,[1]

Bearing in mind the Convention on the Rights of the Child, emphasizing that the provisions of the Convention and other relevant human rights instruments must constitute the standard in the promotion and protection of the rights of the child, and reaffirming that the best interest of the child shall be the primary consideration in all actions concerning children,

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[2]

Reaffirming the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and

* On behalf of the States Members of the United Nations that are members of the group of Latin American and Caribbean States.

[1] *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[2] Resolution 54/263, annexes I and II.

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30 September 1990,[3] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[4] which, inter alia, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children, such as female infanticide, harmful child labour, sale of children and organs, child prostitution and child pornography, and which reaffirms that all human rights and fundamental freedoms are universal,

Welcoming the outcome of the special session of the General Assembly on children[5] and the firm commitments contained therein to promote and protect the rights of each child — every human being below the age of 18 years — including adolescents,

Welcoming also the Yokohama Global Commitment 2001[6] adopted at the second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, from 17 to 20 December 2001, and calling upon States to consider its outcome,

Welcoming further the integration of issues of child rights in the outcomes of all major United Nations conferences, special sessions and summits,

Profoundly concerned that the situation of girls and boys in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized world economy, pandemics, in particular human immunodeficiency virus/acquired immunodeficiency syndrome, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Underlining the need for mainstreaming a gender perspective in all policies and programmes relating to children,

Recognizing the need for the realization of a standard of living adequate for the child's physical, mental, spiritual, moral and social development, the protection of the child from torture and other cruel, inhuman or degrading treatment or punishment, the provision of universal and equal access to primary education and the implementation of the commitments on the education of children contained in the United Nations Millennium Declaration,[7]

Concerned at the number of illegal adoptions, of children growing up without parents and of child victims of family and social violence, neglect and abuse,

Concerned also at the number of cases of international abduction of children by one of the parents,

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[3] A/45/625, annex.

[4] A/CONF.157/24 (Part I), chap. III.

[5] Resolution S-27/2.

[6] See A/S-27/12, annex.

[7] See resolution 55/2, para. 19.

Recognizing that partnership among Governments, international organizations and all sectors of civil society, in particular non-governmental organizations, is important to realizing the rights of the child,

I
Implementation of the Convention on the Rights of the Child

1. *Once again urges* the States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child[8] as a matter of priority with a view to reaching the goal of universal adherence as soon as possible;

2. *Reiterates its concern* at the great number of reservations to the Convention, and urges States parties to withdraw reservations that are incompatible with the object and purpose of the Convention and to review on a regular basis any reservations with a view to withdrawing them;

3. *Calls upon* States parties to implement fully the Convention, while stressing that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children, and of the goals and objectives endorsed at the relevant major United Nations summits, conferences and special sessions;

4. *Urges* States to assure the child who is capable of forming his or her own views the right to express those views freely in all matters that affect him or her, the views being given due weight in accordance with the age and maturity of the child, and in this regard to involve children and young people in their efforts to implement the Convention and the goals of the Summit and the special session of the Assembly on children, as well as in other programmes relating to children and young people, as appropriate;

5. *Calls upon* States parties to cooperate closely with the Committee on the Rights of the Child and to comply in a timely manner with their reporting obligations under the Convention, in accordance with the guidelines elaborated by the Committee, and encourages States parties to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

6. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, notes the temporary support given by the plan of action of the United Nations High Commissioner for Human Rights to strengthen the important role of the Committee in advancing the implementation of the Convention, and also requests the Secretary-General to make available information on the follow-up to the plan of action;

7. *Calls upon* States parties urgently to take appropriate measures so that acceptance of the amendment to paragraph 2 of article 43 of the Convention by a two-thirds majority of States parties can be reached as soon as possible in order for the amendment to enter into force, thus increasing the membership of the Committee from ten to eighteen experts, bearing in mind, inter alia, the additional workload of the Committee when the two Optional Protocols to the Convention enter into force;

[8] Resolution 44/25, annex.

8. *Invites* the Committee to continue to enhance its constructive dialogue with the States parties and its transparent and effective functioning;

9. *Recommends* that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and in which their rights are violated and that they take into account the work of the Committee, and encourages the further development of the rights-based approach adopted by the United Nations Children's Fund and further steps to increase system-wide coordination and inter-agency cooperation for the promotion and protection of the rights of the child;

10. *Encourages* the Committee, in monitoring the implementation of the Convention, to continue to pay attention to the needs of children in especially difficult circumstances;

11. *Reaffirms* the importance of ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and of coordination among various governmental bodies involved in children's rights, and encourages States and relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;

12. *Encourages* Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and child rights advocates, to continue to contribute, as appropriate, to the web-based database launched by the United Nations Children's Fund so as to continue the provision of information on laws, structures, policies and processes adopted at the national level to translate the Convention into practice, and in this regard commends the Fund for its work to disseminate lessons learned in the implementation of the Convention;

II
Protection and promotion of the rights of children

Identity, family relations and birth registration

1. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

2. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law, without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to re-establishing speedily his or her identity;

3. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

4. *Also urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary in the best interest of the child, and, where alternative

care is necessary, to promote family and community-based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one involving abuse or neglect of the child by the parents or one in which the parents are living separately and a decision must be made as to the child's place of residence;

5. *Calls upon* States to take all necessary measures to ensure that the best interest of the child is the primary consideration in adoptions of children and to take all necessary measures to prevent and combat illegal adoptions and adoptions which do not follow the normal procedures;

6. *Also calls upon* States to take all necessary measures to address the problem of children growing up without parents, in particular orphaned children and children who are victims of family and social violence, neglect and abuse;

7. *Urges* States to address cases of international abduction of children by one of the parents and to assist a parent whose child has been abducted by the other parent;

Health

8. *Calls upon* all States and relevant bodies and organizations of the United Nations system, in particular the World Health Organization and the United Nations Children's Fund, to pay particular attention to the development of sustainable health systems and social services to ensure the effective prevention of diseases, malnutrition, disabilities and infant and child mortality, including through prenatal and post-natal health care, as well as the provision of necessary medical treatment and health care to all children, taking into consideration the special needs of young children and girls, including prevention of common infectious diseases, the special needs of adolescents, including those relating to reproductive and sexual health and threats from substance abuse and violence, and the particular needs of children living in poverty, children in situations of armed conflict and children in other vulnerable groups, and to strengthen ways of empowering families and communities;

9. *Calls upon* all States to adopt all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children affected by disease and malnutrition, including protection from all forms of discrimination, abuse or neglect, in particular in the access to and provision of health care;

10. *Welcomes* the attention given by the Committee on the Rights of the Child to the realization of the highest attainable standards of health and access to health care and to the rights of children affected by human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS);

11. *Urges* States to give particular emphasis to the prevention of HIV infection in young children and strengthen efforts to prevent adolescents and women from becoming HIV-infected, inter alia, by including HIV/AIDS prevention in educational curricula and educational programmes consistent with the epidemiology of the diseases in each State, and by supporting wide-scale voluntary HIV testing and counselling programmes for pregnant women, together with services for HIV-infected pregnant women to reduce the risk of transmitting the virus from HIV/AIDS-infected pregnant women to their children;

12. *Urges* all States to take all necessary measures to protect children infected and/or affected by HIV/AIDS from all forms of discrimination, stigma, abuse and neglect, in particular in the access to and provision of health, education and social services, with a view to the realization of their rights;

13. *Calls upon* the international community, relevant United Nations agencies, funds and programmes and intergovernmental and non-governmental organizations to intensify their support of national efforts against HIV/AIDS aimed at providing assistance to children infected or affected by the epidemic, including those orphaned as a result of the HIV/AIDS pandemic, focusing in particular on the worst-hit regions of Africa and areas in which the epidemic is severely setting back national development gains, calls upon them also to give importance to the treatment, care and support of children infected with HIV/AIDS, and invites them to consider further involving the private sector;

14. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and young people, especially those in vulnerable situations, and urges all States to counter the use of children and young people in the illicit production of and trafficking in narcotic drugs and psychotropic substances;

15. *Also urges* all States to make appropriate treatment and rehabilitation accessible for children, including adolescents, dependent on narcotic drugs, psychotropic substances, inhalants and alcohol;

Education

16. *Calls upon* States to recognize the right to education on the basis of equal opportunity by making primary education compulsory and ensuring that all children have access to free and relevant primary education, as well as by making secondary education generally available and accessible to all, and in particular by the progressive introduction of free education;

17. *Reaffirms* the Dakar Framework for Action adopted at the World Education Forum[9] and calls for its full implementation, and in this regard invites the United Nations Educational, Scientific and Cultural Organization to continue to implement its mandated role in coordinating Education for All partners and maintaining their collaborative momentum;

18. *Calls upon* all States to eliminate the gender gap in education, reaffirms the commitment contained in the United Nations Millennium Declaration to ensure equal access for girls and boys to all levels of education and the completion of a full course of primary schooling by children everywhere, boys and girls alike, by 2015,[7] and in this regard encourages the implementation of the United Nations Girls' Education Initiative launched by the Secretary-General at the World Education Forum;

19. *Calls upon* States to ensure that emphasis is given to the qualitative aspects of education, that the education of the child is carried out, that States parties to the Convention on the Rights of the Child[8] develop and implement programmes

[9] See *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000*, United Nations Educational, Scientific and Cultural Organization, Paris, 2000.

for the education of the child, in accordance with articles 28 and 29 of the Convention, and that education is directed, inter alia, to the development of respect for human rights and fundamental freedoms and to the preparation of the child for a responsible life in a free society in a spirit of understanding, peace, tolerance, gender equality and friendship among peoples, ethnic, national and religious groups and persons of indigenous origin, and to ensure that children, from an early age, benefit from education on values, attitudes, modes of behaviour and ways of life that will enable them to resolve any dispute peacefully and in a spirit of respect for human dignity and of tolerance and non-discrimination, bearing in mind the Declaration and Programme of Action on a Culture of Peace;[10]

20. *Calls upon* all States to take all appropriate measures to prevent racist, discriminatory and xenophobic attitudes and behaviour by means of education, keeping in mind the important role that children have to play in changing such practices;

21. *Also calls upon* all States to remove educational disparities and make education accessible to children living in poverty, children living in remote areas, children with special educational needs, children affected by armed conflict and children requiring special protection, including refugee children, migrant children, street children, children deprived of their liberty, indigenous children and children belonging to minorities;

22. *Calls upon* States, educational institutions and the United Nations system, in particular the United Nations Children's Fund, the United Nations Development Fund for Women and the United Nations Educational, Scientific and Cultural Organization, to develop and implement gender-sensitive strategies to address the particular needs of the girl child in education;

Freedom from violence

23. *Reaffirms* the obligation of States to protect children from torture and other cruel, inhuman or degrading treatment or punishment;

24. *Calls upon* States to take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, abuse by police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages, and domestic violence;

25. *Also calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

26. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

27. *Reaffirms* its decision to request the Secretary-General to conduct an in-depth study of the question of violence against children and encourages that he

[10] Resolution 53/243.

appoint, as soon as possible, an independent expert to direct the study, in collaboration with the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and the World Health Organization;

28. *Calls upon* the Governments of all States, in particular States in which the death penalty has not been abolished, to comply with the obligations that they have assumed under relevant provisions of international human rights instruments, including in particular articles 37 to 40 of the Convention on the Rights of the Child[8] and articles 6 and 14 of the International Covenant on Civil and Political Rights;[11]

III
Promotion and protection of the rights of children in particularly vulnerable situations and non-discrimination against children

Plight of children working and/or living on the streets

1. *Calls upon* Governments to seek comprehensive solutions to the problems that cause children to work and/or live on the streets and to implement appropriate programmes and policies for the protection and the rehabilitation and reintegration of those children, bearing in mind that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect;

2. *Calls upon* all States to ensure that basic social services, notably education, are provided for children in order to divert them from and to address the economic imperatives that lead to involvement in harmful, exploitative and abusive activity;

3. *Strongly urges* all Governments to guarantee respect for all human rights and fundamental freedoms, in particular the right to life, to take urgent and effective measures to prevent the killing of children working and/or living on the streets, to combat torture and abusive treatment and violence against them and to bring the perpetrators to justice;

4. *Calls upon* all States to take the situation of children working and/or living on the streets into account when preparing reports for submission to the Committee on the Rights of the Child, and encourages the Committee and other relevant bodies and organizations of the United Nations system, within their existing mandates, to pay increased attention to the question of children working and/or living on the streets;

5. *Calls upon* the international community to support, through effective international cooperation, including technical advice and assistance, the efforts of States to improve the situation of children working and/or living on the streets;

Refugee and internally displaced children

6. *Urges* Governments to improve the implementation of policies and programmes for the protection, care and well-being of refugee and internally displaced children and for the provision of basic social services, including access to education, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations

[11] See resolution 2200 A (XXI), annex.

Children's Fund and the Representative of the Secretary-General on internally displaced persons, in accordance with the obligations of States under the Convention on the Rights of the Child;[8]

7. *Calls upon* all States and other parties to armed conflict, as well as United Nations bodies and organizations, to give urgent attention, in terms of protection and assistance, to the fact that refugee and internally displaced children are particularly exposed to risks in connection with armed conflict, such as being forcibly recruited or subjected to sexual violence, abuse or exploitation;

8. *Expresses its deep concern* about the growing number of unaccompanied and/or separated refugee and internally displaced children, and calls upon all States and United Nations bodies and agencies and other relevant organizations to give priority to programmes for family tracing and reunification and to continue to monitor the care arrangements for unaccompanied and/or separated refugee and internally displaced children;

Children with disabilities

9. *Encourages* the working group on the rights of children with disabilities established pursuant to the decision of the Committee on the Rights of the Child to put into practice as soon as possible the recommendations arising from the day of general discussion on the rights of children with disabilities, held on 6 October 1997,[12] including the drafting of a plan of action on children with disabilities, in close cooperation with the Special Rapporteur of the Commission for Social Development on Disability and other relevant parts of the United Nations system;

10. *Encourages* the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities to consider the issue of children with disabilities in its deliberations;

11. *Calls upon* all States to take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities, and to develop and enforce legislation against their discrimination so as to ensure dignity, promote self-reliance and facilitate the child's active participation in the community, including effective access to educational and health services;

Migrant children

12. *Calls upon* States to protect all human rights of migrant children, in particular unaccompanied migrant children, and to ensure that the best interest of the child shall accordingly be a primary consideration, and encourages the Committee on the Rights of the Child, the United Nations Children's Fund and other relevant United Nations bodies, within their respective mandates, to pay particular attention to the conditions of migrant children in all States and, as appropriate, to make recommendations to strengthen their protection;

13. *Also calls upon* States to cooperate fully with and to assist the Special Rapporteur of the Commission on Human Rights on the human rights of migrants in addressing the particularly vulnerable conditions of migrant children;

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[12] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 41* (A/53/41), sect. IV.C.2, and ibid., *Fifty-fifth Session, Supplement No. 41* (A/55/41), sect. IV.C.2.

IV

Prevention and eradication of the sale of children and of their sexual exploitation and abuse, including child prostitution and child pornography

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and expresses its support for his work;

2. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance to enable him to discharge his mandate fully;

3. *Calls upon* States to continue to cooperate with the Special Rapporteur and to give full consideration to all of his recommendations;

4. *Invites* further voluntary contributions through the Office of the United Nations High Commissioner for Human Rights and support for the work of the Special Rapporteur for the effective fulfilment of his mandate;

5. *Welcomes* the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[13] and urges States parties to implement it fully;

6. *Invites* States that have not yet done so to consider signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

7. *Reaffirms* the obligation of States parties to the Convention on the Rights of the Child[8] and the Optional Protocols thereto to prevent the abduction of, the sale of or the trafficking in children for any purpose or in any form, including the transfer of the organs of the child for profit, and to protect children from all forms of sexual exploitation and abuse, in accordance with articles 35 and 34 of the Convention;

8. *Calls upon* States to take all appropriate steps to combat the misuse of new information and communication technologies, including the Internet, for trafficking in children and for purposes of all forms of sexual exploitation and abuse, in particular the sale of children, child prostitution and child pornography, child sex tourism, acts of paedophilia and other forms of violence and abuse against children and adolescents, and notes that the use of such technologies can also contribute to preventing and eradicating such phenomena;

9. *Also calls upon* States to criminalize and to penalize effectively, in conformity with all relevant and applicable international instruments, all forms of sexual exploitation and abuse of children, including within the family or for commercial purposes, paedophilia, child pornography, child prostitution, child sex tourism, trafficking, the sale of children and their organs and engagement in forced child labour and any other form of exploitation, while ensuring that, in the treatment by the criminal justice system of children who are victims, the best interest of the child shall be a primary consideration, and to take effective measures to ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country of origin of the offender or in the country in which the abuse takes place, in accordance with due process of law;

[13] Resolution 54/263, annex II.

10. *Calls upon* all Member States to take all necessary steps to strengthen international cooperation by means of multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism, and in this regard calls upon Member States to promote international cooperation and coordination among their authorities, national and international non-governmental organizations and international organizations, as appropriate;

11. *Requests* States to increase cooperation and concerted action at the national, regional and international levels to prevent and dismantle networks that traffic in children;

12. *Stresses* the need to combat the existence of a market that encourages such criminal practices against children, including through preventive and enforcement measures that target customers or individuals who sexually exploit or abuse children, and by ensuring public awareness;

13. *Calls upon* States to enact, enforce, review and revise, as appropriate, laws and to implement policies, programmes and practices to protect children from and to eliminate all forms of sexual exploitation and abuse, including commercial sexual exploitation, taking into account the particular problems posed by the use of the Internet in this regard;

14. *Also calls upon* States to identify best practices and to take all appropriate national, bilateral and multilateral measures, to allocate resources for the development of long-term policies, programmes and practices, to collect comprehensive and disaggregated gender-specific data, to facilitate the participation of child victims of sexual exploitation in the development of strategies to end the sale of children and their organs, sexual exploitation and abuse, including the use of children for pornography, prostitution and acts of paedophilia, and to combat existing markets;

15. *Urges* States to afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[13] including assistance in obtaining evidence at their disposal for the proceedings;

16. *Calls upon* all States to contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctioning families, irresponsible adult sexual behaviour, lack of education, urban-rural migration, gender discrimination, harmful traditional practices, armed conflicts and trafficking in children;

17. *Invites* States and relevant United Nations bodies and agencies to allocate appropriate resources for the rehabilitation of child victims of sexual exploitation and abuse and to take all appropriate measures to promote their full recovery and social reintegration;

V

Protection of children affected by armed conflict

1. *Welcomes* the report of the Special Representative of the Secretary-General on the impact of armed conflict on children,[14] and takes note of the report of the Secretary-General on children and armed conflict;

2. *Expresses its support* for the work of the Special Representative in the fulfilment of his mandate, as established in paragraphs 35 to 37 of General Assembly resolution 51/77 of 12 December 1996, in particular in raising worldwide awareness and mobilizing official and public opinion for the protection of children affected by armed conflict in order to promote respect for the rights and needs of children in conflict and post-conflict situations, and recommends that the Secretary-General extend his mandate for a further period of three years;

3. *Recognizes* the progress achieved since the establishment of the mandate of the Special Representative in resolution 51/77, and bearing in mind the report of the Secretary-General on the strengthening of the United Nations;[15]

4. *Requests* the Secretary-General to undertake a comprehensive assessment of the United Nations response to children affected by armed conflict including recommendations for strengthening, sustaining, mainstreaming and streamlining activities, and to submit his report during the fifty-seventh session of the General Assembly for consideration and action at the beginning of the fifty-eighth session of the General Assembly;

5. *Calls upon* the Secretary-General and all relevant parts of the United Nations system, including the Special Representative and the United Nations Children's Fund, to intensify further their efforts to continue to develop a concerted approach to the rights, protection and welfare of children affected by armed conflict, including, as appropriate, in the preparations for the field visits of the Special Representative and in the follow-up to such visits;

6. *Calls upon* all States and other parties concerned to continue to cooperate with the Special Representative in implementing the commitments that they have undertaken and to consider carefully all of the recommendations of the Special Representative and address the issues identified;

7. *Welcomes* the continued support for and voluntary contributions to the work of the Special Representative in the fulfilment of his mandate;

8. *Welcomes* the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[16] and urges States parties to implement it fully;

9. *Invites* States that have not yet done so to consider signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

10. *Urges* all States and other parties to armed conflict to respect international humanitarian law and to put an end to any form of targeting of children and to attacking sites that usually have a significant presence of children, calls upon

[14] A/57/402.

[15] A/57/387 and Corr.1.

[16] Resolution 54/263, annex I.

States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949[17] and the Additional Protocols thereto, of 1977,[18] and calls upon all parties to armed conflict to take all measures required to protect children from acts that constitute violations of international humanitarian law, including prosecution by States, within their national legal framework, of those responsible for such violations;

11. *Recognizes*, in this regard, the contribution of the establishment of the International Criminal Court to ending impunity for perpetrators of certain crimes committed against children, as defined in the Statute of the Court, which include those involving sexual violence or child soldiers, and thus to the prevention of such crimes, and takes duly into consideration measures for special treatment and rehabilitation of child offenders;

12. *Stresses* the importance of all relevant United Nations actors in the field improving their reporting, within their respective mandates, concerning the situation of children affected by armed conflict and giving additional attention to this question;

13. *Condemns* the abduction of children in situations of armed conflict and into armed conflict, urges States, international organizations and other concerned parties to take all appropriate measures to secure the unconditional release, rehabilitation, reintegration and reunification with their families of all abducted children, and urges States to bring the perpetrators to justice;

14. *Calls upon* States to ensure that the adoption of children in situations of armed conflict is guided by the Convention on the Rights of the Child and that the best interest of the child is always envisaged as a paramount consideration;

15. *Urges* States and all other parties to armed conflict to end the use of children as soldiers, to ensure their demobilization and effective disarmament and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, further encourages efforts by, inter alia, regional organizations, intergovernmental organizations and non-governmental organizations to bring an end to the use of children as soldiers in armed conflict, and emphasizes that no support shall be given to those who systematically abuse or violate the rights of children during armed conflicts;

16. *Underlines* the importance of including measures to ensure the rights of the child, inter alia, in the areas of health and nutrition, formal, informal or non-formal education, physical and psychological recovery and social reintegration, in emergency and other humanitarian assistance policies and programmes;

17. *Reaffirms* the essential role of the General Assembly and the Economic and Social Council in the promotion and protection of the rights and welfare of children, takes note of the adoption of Security Council resolution 1379 (2001) on 20 November 2001, and notes the importance of the open debate held in the Security Council on 7 May 2002 on children and armed conflict and the undertaking provided by the Council to give special attention to the protection, welfare and rights of children when taking action aimed at maintaining peace and security;

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[17] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[18] Ibid., vol. 1125, Nos. 17512 and 17513.

18. *Calls upon* all parties to armed conflict to ensure the full, safe and unhindered access of humanitarian personnel and the delivery of humanitarian assistance to all children affected by armed conflict;

19. *Reaffirms* agreed conclusions 1999/1 adopted by the Economic and Social Council on 23 July 1999, in which the Council, inter alia, called for systematic, concerted and comprehensive inter-agency efforts on behalf of children, as well as adequate and sustainable resource allocation, to provide both immediate emergency assistance to and long-term measures for children throughout all the phases of an emergency;[19]

20. *Urges* States to implement effective measures for the rehabilitation, physical and psychological recovery and reintegration into society of all child victims in cases of armed conflict, invites the international community to assist in this endeavour, and further emphasizes the importance of giving systematic consideration to the special needs and particular vulnerability of the girl child during conflicts and in post-conflict situations;

21. *Calls upon* States and relevant United Nations bodies to continue to support national and international mine-action efforts, including by means of financial contributions, mine-awareness programmes, victim assistance and child-centred rehabilitation, and welcomes the positive effects on children of concrete legislative measures with respect to anti-personnel mines;

22. *Invites* States, multilateral donors and the private sector to cooperate and to commit the resources necessary for the early development of new and more efficient mine-detection and mine-clearance technologies for assistance in mine action;

23. *Notes with concern* the impact of small arms and light weapons on children in situations of armed conflict, in particular as a result of their illicit production and traffic;

24. *Recommends* that, whenever sanctions are imposed, their impact on children be assessed and monitored and that humanitarian exemptions be child-focused and formulated with clear guidelines for their application;

25. *Calls upon* States, relevant United Nations bodies and agencies and regional organizations to integrate the rights of the child into all activities in conflict and post-conflict situations, including training programmes and emergency relief operations, country programmes and field operations aimed at promoting peace and preventing and resolving conflict, as well as the negotiation and implementation of peace agreements, and, given the long-term consequences for society, underlines the importance of including specific provisions for children, including resourcing, in peace agreements and in arrangements negotiated by parties;

26. *Calls upon* all States, in accordance with the norms of international humanitarian law, to integrate in the training and gender-sensitized education programmes of their armed forces, including those for peacekeeping, instruction on responsibilities towards the civilian population, in particular women and children;

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[19] See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 3* (A/54/3/Rev.1), chap. VI, para. 5.

27. *Calls upon* Member States, the United Nations system and non-governmental organizations to encourage the involvement of young people in activities concerning the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peace-building and children-to-children networks;

28. *Notes with appreciation* the appointment by the Secretary-General of Child Protection Advisers in United Nations peacekeeping missions, and encourages him to appoint such advisers, where appropriate, to existing and future peacekeeping operations;

29. *Notes with appreciation* the Winnipeg Agenda for War-Affected Children[20] and efforts by regional organizations, in particular the Organization for Security and Cooperation in Europe, the European Union, the Economic Community of West African States, the Organization of American States and the African Union, to include prominently the rights and protection of children affected by armed conflict in their policies and programmes;

VI
Progressive elimination of child labour

1. *Reaffirms* the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

2. *Calls upon* all States that have not yet done so to consider ratifying the conventions of the International Labour Organization relating to child labour, in particular the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138), and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention 182), and to implement those conventions;

3. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour contrary to accepted international standards, and urges them, inter alia, to eliminate immediately the worst forms of child labour as set out in the 1999 International Labour Organization Convention No. 182;

4. *Also calls upon* all States to assess and examine systematically the magnitude, nature and causes of child labour and to elaborate and implement strategies for the elimination of child labour contrary to accepted international standards, giving special attention to specific dangers faced by girls, as well as to the rehabilitation and social reintegration of the children concerned;

5. *Recognizes* that primary education is one of the main instruments for reintegrating child workers, calls upon all States to recognize the right to education by making primary education compulsory and to ensure that all children have equal access to free primary education as a key strategy to prevent child labour, and recognizes, in particular, the important role of the United Nations Educational,

[20] A/55/467-S/2000/973, annex.

Scientific and Cultural Organization and the United Nations Children's Fund in this regard;

6. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in preventing or combating violations of the rights of the child and in attaining the objective of eliminating child labour contrary to accepted international standards;

7. *Calls upon* all States to strengthen cooperation and coordination at the national and international levels to address effectively the problem of child labour, in close cooperation with, inter alia, the International Labour Organization and the United Nations Children's Fund;

VII

Decides:

(a) To request the Secretary-General to prepare a report on progress achieved in realizing the commitments set out in the final document of the twenty-seventh special session of the General Assembly, entitled "A World Fit for Children",[21] with a view to identifying problems and constraints and making recommendations on action needed to make further progress;

(b) To request the Secretary-General to submit his report to the General Assembly at its fifty-eighth session;

(c) To include in the provisional agenda of its fifty-eighth session an item entitled "Follow-up to the outcome of the twenty-seventh special session of the General Assembly", which will be considered by the General Assembly in plenary meeting;

(d) To request the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child[8] and the problems addressed in the present resolution;

(e) To request the Special Representative of the Secretary-General on the impact of armed conflict on children to submit to the General Assembly and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies;

(f) To continue its consideration of this question at its fifty-eighth session under the item entitled "Promotion and protection of the rights of children".

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[21] See resolution S-27/2.